

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FORTIS CORPORATE INSURANCE as :  
subrogee of EMPIRE RESOURCES, INC., :

Plaintiff, :

v. :

TOTAL QUALITY LOGISTICS, INC. and :  
HILL'S TRUCKING, INC., :

Defendants. :

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TOTAL QUALITY LOGISTICS, INC., :

Third-Party Plaintiff, :

v. :

BOLIVAR INSURANCE AND REAL ESTATE, :  
INC. and CANAL INSURANCE CO., :

Third-Party Defendants. :

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Hon. Victor Marrero, U.S.D.J.

07 Civ. 03731 (VM)

**CERTIFICATION OF SERVICE**

BENNET SUSSER, being of full age, certifies and says:

1. I am Of Counsel with the law firm of Sills Cummis & Gross, P.C., counsel for Defendant Hill's Trucking, Inc. in this matter.

2. On February 7, 2008, I electronically filed and served defendants' motion to stay litigation in deference to the pending Tennessee action, comprising a Notice of Motion, Affidavit of Robert L. Green, with Exhibits, and supporting Memorandum of Law (the "motion papers") with the Clerk of the Court using the CM/ECF system, and those attorneys who are listed as CM/ECF users.

3. On February 7, 2008, I separately served the motion papers by first-class mail upon the following parties who have not yet appeared in this action:

Bolivar Insurance Real Estate Inc.  
800 West Market Street  
Bolivar, Tennessee 38008

Canal Insurance Company  
400 East Stone Avenue  
Greenville, South Carolina 29601

SILLS CUMMIS & GROSS P.C.  
One Riverfront Plaza  
Newark, New Jersey 07102-5400  
(973) 643-7000  
Attorneys for Defendant  
Hill's Trucking, Inc.

By: 

BENNET SUSSER

Dated: New York, New York  
February 7, 2008